

Attorney Christa O. Westerberg
cwesterberg@pinesbach.com

March 13, 2018

VIA ELECTRONIC SUBMISSION:

<https://FOIAonline.regulations.gov>

Regional Freedom of Information Officer
U.S. Environmental Protection Agency,
Region 5
77 West Jackson Blvd (MI-9J)
Chicago, IL 60604-3590

Re: FOIA Request

Dear FOIA Officer:

This is a Freedom of Information Act (FOIA) request sent on behalf of the Courte Oreilles Lakes Association, Inc. (COLA), PO Box 702, Hayward, WI 54843.

A. Records Sought

- 1) All records relating to any revisions, changes, or modifications to the State of Wisconsin's Clean Water Act and NPDES program. This request is limited to revisions discussed, initiated, or approved since June 1, 2017. This request includes, but is not limited to, records generated under the procedures in 40 C.F.R. § 123.62(a)-(f).
- 2) All notices of approval of non-substantial program revisions sent by the Administrator to the State of Wisconsin Governor or his designee since June 1, 2017.

B. Request for Fee Waiver

COLA respectfully requests a full fee waiver because, as shown below, the "disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government

and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii).

First, the requested records will contribute significantly to public understanding of the operations or activities of the government. The requested records relate to Wisconsin’s implementation of its delegated authority under the Clean Water Act, the quality of state waters, and the purposes and goals of the Clean Water Act. COLA’s Board of Directors is comprised of individuals with expertise in water quality, aquatic resource management, and environmental policy who have the ability to understand and distill the contents of the requested records. Moreover, COLA has the ability to disseminate the information contained in the requested records, not only to its own members but also to the broader public via its website (www.cola-wi.org), its periodic newsletter, and like-minded conservation partners including the Lac Courte Oreilles Foundation (<http://lcofi.org>), Wisconsin Lakes Association (<http://www.wisconsinlakes.org>), and the Lac Courte Oreilles Band of Ojibwe (<http://www.lco-nsn.gov>), each of which has been actively involved in water quality issues on the Lac Courte Oreilles over the years.

Second, disclosure of the requested information is not in the commercial interest of COLA. COLA is a Wisconsin non-stock, public interest membership organization whose twin purposes are to (1) protect, preserve and enhance the quality of the Courte Oreilles Lakes, their shorelands and surrounding areas, while respecting the interests of property owners and the rights of the general public, and (2) consider, study, survey and respond to issues deemed relevant by the membership of the organization. COLA is supported primarily through memberships and donations. It has no paid staff and operates under the direction of a volunteer Board of Directors. In short, COLA has no commercial interest.

C. Record Reproduction

COLA prefers that all responsive records be provided in electronic format to the extent feasible. Records should be sent to me at the following address:

Christa Westerberg
Pines Bach LLP
122 W. Washington Ave., Ste 900
Madison, WI 53703

Should you have any questions or need clarification on this request, I may be contacted at cwesterberg@pinesbach.com, or 608-251-0101. Thank you for your consideration of this request.

Sincerely,

PINES BACH LLP

A handwritten signature in black ink, appearing to read "Christa O. Westerberg", with a large, stylized flourish at the end.

Christa O. Westerberg

COW:hmm

cc: A. Sivertson, COLA